

US EPA RECORDS CENTER REGION 5



466144

File HW Ent.

Irathane Systems

Page # 2 Reviewer DJW

OCT 23 1984

Mr. William Valeri
Irathane Systems, Incorporated
3516 East 13th Avenue
Hibbing, Minnesota 55746

Dear Mr. Valeri:

This letter is in regard to Laurie Potter's September 13, 1984 letter asking for a clarification of Irathane's status under the Resource Conservation and Recovery Act (RCRA). The Environmental Protection Agency (EPA) defines a small quantity generator as the generation of less than 1,000 kilograms (2,200 pounds) of hazardous waste or 1 kilogram (2.2 pounds) of acutely hazardous waste per calendar month (40 CFR 261.5[a]).

However, if a small quantity generator accumulates hazardous waste at any time in excess of 1,000 kilograms, it is subject to the generator requirements as stated in 40 CFR Part 261.5(f). At the time of the inspection, Irathane had accumulated over 1,000 kilograms of hazardous waste on-site, hence it is subject to the generator requirements.

Also, under the revised Minnesota hazardous waste rules, the accumulation requirements are identical to the above cited federal rules. However, if a company at any time generates in excess of 1,000 kilograms in a calendar month, it would be subject to the generator requirements thereafter (Minnesota Rule Part 7045.0219 Subpart 3).

If you have any questions, please contact me at 612/296-7277.

Sincerely,

Original Signed *DJW* 10/24/84 *JZE* 10/23/84

Darryl J. Weakley
Hazardous Waste Enforcement Unit
Regulatory Compliance Section
Solid and Hazardous Waste Division

DJW/ch

cc: Laurie Potter, Potter & Associates, Cook